

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL FERNANDES,
Plaintiff,

No. C-08-2448 MMC

ORDER OF DISMISSAL

v.


WILLOWS CENTER CONCORD, LLC,
Defendant

The parties having advised the Court that they have agreed to a settlement of the above-titled action,

IT IS HEREBY ORDERED that plaintiff's claims alleged herein be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ten months of the date of this order, with proof of service of a copy thereon on opposing counsel, that the agreed consideration for the settlement has not been delivered, the foregoing order shall stand vacated and the action shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: June 5, 2009


MAXINE M. CHESNEY
United States District Judge